

January 8, 2009

"This letter was sent to those on the attached list."

Subject: **2009 Update State Aviation System Plan**

The Montana Department of Transportation (MDT), Aeronautics Division, is requesting Statement of Qualifications proposals from interested firms to conduct Pavement Condition Indexes (PCI's) for selected airports. One firm will be selected to conduct the work and prepare the document.

Scope of Work

In general, the work included in this project will require approximately 60 Pavement Condition Indexes (PCI's) at general aviation airports located throughout the state of Montana. For more specific objectives and requirements, see the attached Program Narrative.

Project Location

Project work will be statewide.

Project Schedule

Work is required to be completed and billed by **December 31, 2009**.

Proposal Submittal

The consultant must submit four (4) copies of the proposal for this project by 5:00 p.m. on Friday, February 6, 2009, to:

Tim J. Conway, P.E.
Consultant Design Engineer
Montana Department of Transportation
Highways and Engineering Division
2701 Prospect Avenue
Helena, MT 59620

Proposal Contents

The proposal must contain, at a minimum, the following information:

- 1) Briefly describe your firm's ability to conduct these work efforts with available manpower and resources, including consideration given to present and projected workload in the next three years. Discuss your firm's ability to provide the desired work within a specific project schedule.
Two Pages - Maximum
- 2) Qualifications of the project team and technical personnel assigned to this project.

- A) Organization chart indicating the personnel to be assigned to projects, their area of expertise, registration, special training, chain of command, and office location(s). If personnel from more than one office are to be used, indicate which office.
Two Pages - Maximum
- B) Brief résumés of the above personnel, including experience and time periods of the acquired experience.
Place in Appendix A
- C) A specific outline and description of the support services you will use to complete the projects from start to finish. Include additional personnel, etc.
Two Pages - Maximum
- 3) A concise and specific outline of the firm's previous similar experience and any special abilities suiting your firm for relating to airport development and related construction.
Three Pages - Maximum
- 4) List as references all of the firm's clients from the past three (3) years for projects that deal with work similar to the proposed work. Include client name, contact person, and phone number. Give range of contract value. (Do not include Federal Standard Forms (SF) 254 and 255)
Place in Appendix B
- 5) List and describe subconsultants, if any, you anticipate using and for what part(s) of work.
- 6) Provide proof that the firm's Indirect Cost Rate (overhead rate) has been audited in accordance with 23 CFR §172.7(b) for the cost principles of 48 CFR Part 31, by a cognizant government agency or independent CPA firm.

The Indirect Cost Rate and audit must be based on the firm's latest completed fiscal year's costs. A six-month grace period for obtaining an audit is generally allowed following the close of a firm's fiscal year. For example, if the firm's fiscal year ended on June 30, 2008, an audit based on that fiscal year would be required by December 31, 2008. However, if the firm's fiscal year follows the calendar year, an audit based on fiscal year 2007 (which ended December 31, 2007) would be required now and would be acceptable until July 1, 2009.

Acceptable proof of an audit includes portions of an audit report itself or a letter from the audit agency acknowledging the audit and time period for which it applies. If an audit is in progress but has not been completed, a letter stating such from the audit agency will suffice. If an audit report or portions thereof are submitted, make sure the actual financial information is blocked out or unreadable. MDT does not want to know what the rate is at this time. The intent is to establish proof of an audit, not to see what the Indirect Cost Rate is.

Consultant selections by MDT for engineering, surveying, architectural, and other design related disciplines are based on qualifications, not cost.

Proof of an audit must be included for any subconsultants that are also a part of the team and are expected to provide services in excess of \$10,000. Proof of an audit is not required for non-professional type services using unit prices or fee schedules such as laboratory testing and drilling subcontracts, or professional services commonly provided on a per unit basis such as right-of-way appraisal and acquisition services. Usually, those services are a minor part of anticipated work. However, if your firm provides professional services such as engineering, surveying, architectural, or other design related services, proof of an Indirect Cost Rate audit is required even if unit prices and fee schedules are used. If the firm or any subconsultant uses such pricing of its services, please note that in the proposal.

***Do not show any actual numerical financial information such as the overhead rate or personnel rates. Specific cost information of the firm or team should not be part of the proposal.
Failure to provide the requested information may disqualify the firm for this project.***

Proposal Evaluation

All proposals will be evaluated in accordance with the following factors:

- 1) Location of Firm:**5 pts.**
- 2) Quality of Firm and Personnel:**30 pts.**
 - A) Related experience on similar projects.
 - B) Qualifications, experience and training of personnel to be assigned to the project.
- 3) Capacity and Capability of Firm: **35 pts.**
 - A) Ability to meet technical requirements and applications.
 - B) Compatibility of systems, equipment, software, etc.
 - C) Capability of firm to meet project time requirements.
 - D) Capability to respond to project and MDT requirements.
- 4) Record of Past Performance and Reference checks: **30 pts.**
 - A) Previous record with MDT, quality of work, on-schedule performance and cooperation with the Consultant Design Engineer and other MDT personnel.

- B) No previous record with MDT will require reference checks.

Following the review and evaluation of all proposals, the list of firms will be narrowed down to an appropriate short list. Short listed firms may be asked to provide final proposals or a presentation/interview of their proposal before the Rating Committee. The presentation should be approximately 15-45 minutes in length and will be followed by a question and answer session by the Committee. Audio/visual materials are encouraged. The presentations will be held at MDT's Headquarters in Helena, Montana. Evaluation of the final proposals or presentations will determine the successful firm.

Future Contract Agreement Requirements:

The contract agreement will be administered on a cost plus fixed fee basis. The contract will have a negotiated cost ceiling. If a contract agreement is successfully negotiated, certain financial information will be required as part of the contract agreement. Consultants and any subconsultants must provide MDT with an Indirect Cost Rate audited in accordance with 23 CFR §172.7(b) for the cost principles of 48 CFR Part 31 by a cognizant government agency or independent CPA firm based on the firm's latest completed fiscal year's costs. Personnel rates, profit, and direct expenses must also be clearly outlined and provided to MDT.

Do not submit actual numerical financial information with the SOQ Proposal.

DBE Goals:

There are no DBE/WBE goals for this work, but firms are strongly encouraged to utilize DBE firms if applicable. A Montana certified DBE consultant list is available and can be found on the MDT web page, <http://www.mdt.mt.gov/business/contracting.shtml>

Nondiscrimination Compliance:

Consultants will be subject to Federal and Montana nondiscrimination laws and regulations (see attached notice).

If you have any questions, please contact me at (406) 444-7292 or (406) 444-7696 TDD, or by e-mail at tconway@mt.gov.

Tim J. Conway, P.E.
Consultant Design Engineer

TJC:bdn:2009 Aviation System Plan RFQ

copies: Jim Greil, Airports/Airways Bureau Chief MDT Helena Aeronautics

Max Murphy, Aviation Support Officer MDT Helena Aeronautics
Tim J. Conway, P.E., Consultant Design Engineer
Roy A. Peterson, P.E. Consultant Plans Engineer
Sheila Cozzie, Civil Rights Bureau Chief
Consultant Design Bureau Contract File

NON-DISCRIMINATION NOTICE

During the performance of this Agreement, the Consultant (hereafter in this Section "the Party"), for itself, its assignees and successors in interest, agrees as follows:

A) **COMPLIANCE WITH TITLE VI OF THE CIVIL RIGHTS ACT OF 1964 FOR FEDERAL-AID CONTRACTS**

- (1) Compliance with Regulations: The Party shall comply with all Regulations relative to nondiscrimination in Federally-assisted programs of the Department of Transportation, 49 Code of Federal Regulations, Part 21, as they may be amended (hereafter referred to as the Regulations), which are incorporated by reference and made a part of this Agreement, even if only state funding is here involved.
- (2) Nondiscrimination: The Party, with regard to the work performed by it during the Agreement, shall not discriminate on the grounds of sex, race, color, or national origin in the selection and retention of subcontractors, including procurement of materials and leases of equipment. The Party shall not participate either directly or indirectly in the discrimination prohibited by 49 CFR 21.5.
- (3) Solicitations for Subcontracts, Including Procurement of Materials and Equipment: In all solicitations, whether by competitive bidding or negotiation by the Party for work to be performed under a subcontract, including procurement of materials or leases of equipment, any potential subcontractor or supplier shall be notified by the Party of the Party's obligations under this Agreement and the Regulations relative to nondiscrimination.
- (4) Information and Reports: The Party will provide all reports and information required by the Regulations, or directives issued pursuant thereto, and permit access to its books, records, accounts, other sources of information and its facilities as may be determined by State or the Federal Highway Administration (FHWA) to be pertinent to ascertain compliance with Regulations or directives. Where any information required of the Party is in the exclusive possession of another who fails or refuses to furnish this information, the Party shall so certify to the Department or the FHWA as requested, setting forth what efforts it has made to obtain the information.
- (5) Sanctions for Noncompliance: In the event of the Party's noncompliance with the nondiscrimination provisions of this Agreement, State may impose sanctions as it or the FHWA determines appropriate, including, but not limited to,
 - (a) Withholding payments to the Party under the Agreement until the Party complies, and/or
 - (b) Cancellation, termination or suspension of the Agreement, in whole or in part.
- (6) Incorporation of Provisions: The Party will include the provisions of paragraphs (1) through (6) in every subcontract, including procurement of materials and leases of equipment, unless exempt by the Regulations or directives issued pursuant thereto. The Party will take such action with

respect to any subcontract or procurement as the State or the FHWA may direct to enforce such provisions including sanctions for noncompliance: Provided, however, that in the event the Party is sued or is threatened with litigation by a subcontractor or supplier as a result of such direction, the Party may request the State to enter into the litigation to protect the interests of the State, and, in addition, the Party or the State may request the United States to enter into such litigation to protect the interests of the United States.

B) COMPLIANCE WITH THE MONTANA GOVERNMENTAL CODE OF FAIR PRACTICES, §49-3-207, MCA

In accordance with Section 49-3-207, MCA, the Party agrees that for this Agreement all hiring will be made on the basis of merit and qualifications and that there will be no discrimination on the basis of race, color, religion, creed, political ideas, sex, age, marital status, physical or mental disability, or national origin by the persons performing the Agreement.

C) COMPLIANCE WITH AMERICANS WITH DISABILITIES ACT (ADA)

- (1) The Party will comply with all regulations relative to implementation of the AMERICANS WITH DISABILITIES ACT.
- (2) The Party will incorporate or communicate the intent of the following statement in all publications, announcements, video recordings, course offerings or other program outputs: **"The Party will provide reasonable accommodations for any known disability that may interfere with a person in participating in any service, program or activity offered by the Party. In the case of documents, recordings or verbal presentations, alternative accessible formats will be provided. For further information call the Party."**
- (3) All video recordings produced and created under contract and/or agreement will be closed captioned.

D) COMPLIANCE WITH PARTICIPATION BY DISADVANTAGED BUSINESS ENTERPRISES IN DEPARTMENT OF TRANSPORTATION FINANCIAL ASSISTANCE PROGRAMS, 49 CFR §26

Each Agreement the Department signs with a Party (and each subcontract the prime contractor signs with a subcontractor) must include the following assurance:

The Party, subrecipient or subcontractor shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The Party shall carry out applicable requirements of 49 CFR part 26 in the award and administration of DOT-assisted contracts. Failure by the Party to carry out these requirements is a material breach of this contract, which may result in the termination of this contract or such other remedy as the recipient deems appropriate.